

# **MARY PHAGAN'S MURDER**

## **WAS WORK OF A NEGRO**

### **DECLARES LEO M. FRANK**

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That I Did It,"  
Prisoner in  
Fulton Tower Tells  
Attache.

"It's a Negro's Crime  
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Asserts His  
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FRANK***

***TO TELL THE  
TRUTH,"***

***ASSERTS JAMES  
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"I Believe He'd Let 'Em  
Hang

Me to Get Out of It  
Him-

self if He Had the  
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Says Negro Sweeper  
—Chief

Lanford Is Pleased  
With

Work of Department  
and

Ready for the Case to  
Come

to Trial Immediately.

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"No white man killed Mary Phagan. It's a negro's crime, through and through. No man with common sense would even suspect that I did it."

This declaration was made by Leo M. Frank in his cell at the Tower to a jail attaché, the attaché told a reporter for The Constitution last night. He is also stated to have made incessant pleas of innocence to turnkeys and prisoners who are permitted within the sacred confines of his cell.

No newspaper men are allowed to see him. He has instructed Sheriff Mangum to permit no one in his presence except at his request. The sheriff is obeying the order to the letter. Even Chief Lanford, headquarters detectives and Harry Scott, of the Pinkertons, which agency is in the prisoner's employ, are denied admission to his cell.

Coupled with the declaration Frank is said to have made to the jail attaché, comes his statement made Friday to Sheriff Mangum that he knew not who was guilty, but that the murderer should hang. This was made after news reached him of Conley's confession, it is said.

## **Many Friends**

### **Visit Frank.**

Frank devours newspaper stories of the Phagan investigation, it is said at the jail. His cell is crowded daily with friends and relatives who bring him papers and delicacies. His wife now visits him once each day. He talks but little of the crime to anyone beside his friends, and but little is gained from him by the jailers and prisoners who visit him.

James Conley sat on a bunk in his cell at the Tower last night and for an hour freely discussed his grim connection with the Mary Phagan tragedy. He was a willing talker, ready answerer of questions, and throughout the interview he seemed to find relief in relating the narrative of his complicity in Atlanta's most hideous crime.

"I made an affidavit down to police headquarters," he said. "It was the third one I made since they had me arrested. It's the truth, though, the whole truth, and I hope to God that He strikes me dead this very instant if it ain't."

"I was intendin' not to tell the whole business. I was fixin' to take care of Mr. Frank like he told me to in the first place. I was going to keep my mouth shut and say nothin', until some of those

folks down at the pencil factory opens up and begins tryin' to make out that I killed the little girl, and that I'm trying to save my own neck by fixin' it on Mr. Frank."

## **Scared Into Confession.**

"That made me mad. It didn't make me any madder than it made me scared. I just put it down that if I didn't come on out with the truth, they would get me and hang an innocent nigger. I called for Mr. Detective Black that Saturday and begins to open up. I was afraid even then though, to tell the whole business.

"Finally, the thing got to workin' in my head so much that I just couldn't hold it any longer. I couldn't sleep, and it worried me mightily. I just decided it was time for me to come on out with it, and I did. The detectives and Chief Lanford treated me mighty fair, and I felt a whole lot better when I went up before them and told the truth.

"I don't think I slept better in a long time than I slept last night. I knew I had told the truth, and I felt like a clean nigger. They won't do much with me, I don't think. Mr. Hugh Dorsey he came a long time ago when I first started to open up, and told me everything was all right and for me to go ahead with everything I knew."

This is the negro's first statement for publication. He was being visited by his wife, a young mulatto, while the reporter talked with him. He gave her directions regarding obtaining a few personal articles which he would need while in prison.

## **It's Up to Frank.**

"Mr. Frank, he did that murder, and he knows it," the sweeper continued. "It's up to him now to come out with the truth. I done told it, and it's his time. I never saw him do it, and he didn't say he did, but they ain't no dbout that he did do it. If he didn't, then why didn't he go and send for the police when he found the body, 'stead of havin' me help him carry it down to the basement? That's what I'd like to know.

"He ain't got much chance, Mr. Frank ain't. He must know it, or he'd told the truth a long time ago. I b'lieve he'd let 'em hang me to get out of it himself if he had the chance. He ain't pad me nuthin' yet, like he promised to do, and the only thing I got out of it was that two dollars he gave me in the cigarette box."

He was asked if he knew of the staple being pulled from the door in the basement.

"Naw, sir, I don't know anything 'bout that," he answered. "It must 'a been done after I left, 'cause when I got the chance to get away from that place, I hustled."

Also, the reporter questioned the negro if his connection with the body's disposal was through fear.

"No, sir, it wasn't exactly that. I didn't get scared of Mr. Frank but once, and I don't want to tell what caused me to be 'fraid then. I went on ahead with the body like he told me to, 'cause I had been drinking and wasn't exactly in my right mind. Mr. Frank's looks kinder scared me, though, 'cause he looked just for the world like somebody that was crazy. I never saw a man look like he did, and I never want to see another look like that again."

Conley was asked to describe in detail his movements in helping Frank lower the body to the basement, as the negro confesses.

### **Affidavit Tells Story.**

"I done it just like I say in the affidavit. I don't like to talk about it or think about it. The affidavit tells exactly the way we took her to the basement and left her there, and everything else I know about it. I done told everything. There ain't nothin' else for me to tell. I done come clean, now, and it's Mr. Frank's time to do the same thing."

Conley gives his age as 27. He has been a laborer all his life. For the past two years he has been employed with the pencil factory. He said Frank had often encountered him in the plant, and frequently stopped to joke with him.

"Mr. Frank, a whole lot of times, when he'd come down the aisle where I was working, 'd stop and guy me a little bit, and then go on 'bout his business. I used to laugh and joke with him some whenever I'd go in his office. That Saturday we moved the body wasn't the first time we'd ever come together.

"He's in bad shape, Mr. Frank is, and I kinder feel bad for him, although that was a horrible thing he did. If I was him, I'd come on out with the truth. It'll be the best thing for him. I done told it, and what I said in that affidavit Chief Lanford and them have got is the truth 'fore God and high Heaven. If He was to tell me this very minute that He was going to hit me with a streak of lightning if I didn't tell the straight of it, I couldn't say a thing on earth 'cept what's in that affidavit."

### **Chief Greatly Pleased.**

Chief Lanford swung 'round in his swivel chair at the desk of his office in police headquarters yesterday afternoon and faced a group of eager reporters who had entered for their hourly conference. There was a smile of victory on his face, and he chuckled inwardly as he reached into a pigeonhole for the final affidavit made by James Conley, the confessed murder accessory.

"I feel like a mountain had been moved from my shoulders," he told the reporters. "I feel more relieved at present than I have felt in my whole career. I'm happy, to tell the truth; happier than I ever will be. The Mary Phagan murder is no longer a mystery. It is

cleared, absolutely, and, in my opinion is to be considered, the guilty man will be convicted within thirty days. We are now ready for trial at any time."

He held up the negro's affidavit in view, tapped it upon his palm, and continued:

### **Pleased With the Work.**

"This document here is a result of the best piece of detective work performed anywhere in the south. The Pinkertons and the police detectives solved the most baffling mystery of my experience when they obtained this affidavit from Conley. It's worth its weight in gold, and more, too. I wouldn't take a million for it."

Conley was transferred from police headquarters Friday afternoon to a cell in the Tower, where he will be kept until Frank's trial. He is being held as a material witness. No bond can be made for him and he will be imprisoned in the jail until the exact moment he is called to the witness stand.

Solicitor General Hugh M. Dorsey said that if the negro's story is true, he would indict him for having been an accessory after the fact. The solicitor says he believes Conley can be convicted of only a misdemeanor, which merits either imprisonment of one year or a fine of \$1,000.

The most dramatic phase of yesterday's developments was the enaction by Conley of his movements on the day of the tragedy, when he says he and Leo Frank lowered Mary Phagan's corpse from the office floor of the factory building to the basement darkness below. With Chief Lanford, Harry Scott, other detectives and a handful of newspaper men, the pencil plant was visited shortly before noon.

### **Goes Through Pantomime.**

The negro's pantomime was thorough in detail. He overlooked no part depicted in his astounding confession of the

night before. He often even lay down upon the floor so as to minutely picture the position of the victim's body at certain stages of its removal into the cellar. With wavering voices that frequently choked slightly as though from some tragic recollection of the grim occurrence, he verbally explained his actions on the murder day.

First, he led the detectives through the second floor to the rear and into a small metal room in which he says he discovered the lifeless form at the direction of his superintendent. He lay down flatly in an obscure corner of the tiny room, distorted his limbs in a crumpled heap, telling his hearers that such was the position in which the body was found.

All workers on the second floor were asked to leave the building during the grim performance. Upstairs, the sound of machinery droned monotonously; downstairs came the sound of traffic in Forsyth street, but on the office story only the sounds of the negro's voice were to be heard, with the shifting of feet as he moved from one spot to another. The pantomime was shot through and through with a tenseness that thrilled even the sated sleuths and reporters.

The negro told that when he entered the factory Frank had told him to go into the metal room, as there was a girl lying there who had struck her head on a piece of machinery and had been knocked unconscious. Conley says he found the body as he had described, one glance satisfying him that she was dead.

"Mr. Frank," he says he called to the superintendent, "this little girl's stone dead."

Frank ordered him to remove the corpse, he says. He got a piece of crocus bagging, bundled the body into it and started to carry it from the tiny death chamber. It was heavy, he says. He stumbled and dropped his tragic load on the floor. He called to Frank, he said, and Frank came to assist him.

### **Had Legs and Feet.**

"Mr. Frank took hold of the legs and feet," the negro told, "and we carried her to the elevator. He switched on the current and ran it down into the basement. He helped me carry her to the gas light at the end of the trap door. He dropped her legs and told me to take the body on down to the further end of the basement.

"I dragged her away down in the back end of the cellar and lay her down. I found one of her shoes and her hat. Mr. Frank told me to throw them in the trash pile close to the boiler, and I did. We got back in the elevator and ascended to the second floor. We went into the office. Mr. Frank closed all the doors and sat down by his desk.

"Suddenly, we heard footsteps. 'There comes Emma Clark and Corinthia Hall,' he said. He shoved me into this wardrobe (Conley indicated the small cabinet in Frank's office), and told me to be right still. He went outside and met the two women. I heard one of them say: 'Are you all alone,' and Frank answered, 'Yes.'

"When Frank came back he let me out, sat back down to his desk and I took a seat. He was turning all kind of colors and trembling and was nervous. He took out a piece of paper and asked me to write this: 'Dear mother, a long, tall black negro did this by hisself he told me if I wood lay down he wood love me play like the night watchman did this boy hisself.'

"I wrote it and he told me something about his rich people in Brooklyn. 'Why should I hang?' he said kinder to himself. He said he was going to send my writing with a letter to his mother, and that if I was a good boy she would send him something. 'My people are rich,' he said, 'why should I hang.' That made twice he said, 'why should I hang?'

### **Told Him Not to Worry.**

"I told him that 'that was alright Mr. Frank, but what's going to become of me for helping you carry the body down?' He told me not to worry. He handed me a cigarette box and I took a smoke. He said I could keep the box. There was some money in it,

\$2. I told him about it, and he said: 'that's alright, you can keep the money.'

"He also handed me a roll of \$200. I took it in my hand, and in a little while he told me to let him see it. I gave it back and he put it in his pocket. 'I'll fix with you Monday, if I live,' he told me. The \$2 is all the money he has given me. I'm telling the truth, because I read in the newspapers that the folks at the pencil factory were trying to pin the killing on me."

### **Luther Rosser Out of City.**

The order remanding Conley to the Tower to be held as a material witness was issued by Judge L. S. Roan, of Fulton superior court. The negro says that he will willingly remain in jail, and that he will co-operate with the detectives in any manner throughout the future.

Efforts are still being made to confront the imprisoned factory official with the negro sweeper and his story. Luther Z. Rosser, Frank's counsel, is away at present, attending to legal matters in Clayton, but will return shortly. All depends upon him whether or not the detectives will be able to enter the suspect's cell.

Mr. Rosser will be prevailed upon to give Chief Lanford and Harry Scott permission to carry Conley before Frank at an early date. They are extremely anxious for this move, and expect valuable results.

### **How Confession Was Secured.**

Conley had been a prisoner in police station for three weeks, and was about to be freed when Detectives Scott and John Black ran down a clue upon which they based their successful investigation into his connection with the crime.

Conley stoutly maintained all during imprisonment that he was unable to write, and that he even did not know the alphabet. The sleuths had begun to put faith in his story, and were

preparing to give him freedom when the fortunate clue was unearthed.

Detectives Scott and Black were strolling through uptown Saturday morning two weeks ago today. Overhearing a conversation between two men, they learned that one was a collector for a jewelry concern from which the negro sweeper had bought two watches. The detectives heard one of the men tell of possessing signed receipt from Conley.

The receipt was procured by the detectives. They saw Conley's signature in his own hand, and, upon searching his home discovered other evidence of his ability to write in papers they got from his residence. Confronting him with these papers, they obtained the admission that Conley could write.

### **Handwriting Compares.**

On the following Sunday he was forced to give specimens of his script. They compared perfectly with the composition of the murder notes found in the pencil factory basement. He protested, however, that he knew nothing of the crime, and that he had nothing whatever to do with the writing of the notes.

He was impressed with the fact the comparison of his handwriting with the murder note script was evidence sufficient to convict him of the murder. Then he was sent to solitary confinement in his cell to ponder over the situation and probability of his own implication.

Last Saturday morning, at 5 o'clock when he awoke and called upon the turnkey for his usual drink of water at that hour, he asked for Detective Black. As soon as Black reported for duty at headquarters he went to the negro's cell.

"Mister Black," Conley said, "I wrote them; I been telling you a lie all along. I'm sorry, but I did. Mr. Frank, he told me to write 'em, and he'll tell you the truth, he'll say I did."

Conley was rushed to the office of the solicitor general, where he made affidavit to the effect of his statement to Black. He swore, however, that the notes were written on the Friday before the tragedy. Later he amended this confession with the story that they were written on the afternoon of Mary Phagan's disappearance.

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